



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Toshihiko Ashikari et al.

Application No.: 08/894,356

Filing Date: August 18, 1997

Title: GENE ENCODING A PROTEIN HAVING ACYL GROUP TRANSFER ACTIVITY

Group Art Unit: 1638

Examiner: Medina Ahmed Ibrahim

Confirmation No.: 8892

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Response to Notice of Non-Responsive Amendment; Copy of Communication Regarding Amendment & Reply Filed Earlier on Same Date (filed 9/9/04)
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted _____
on _____
for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	54	MINUS 54 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 4 =	0	x \$88.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$300.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404
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By



Christopher L. North
Registration No. 50,433

Date: December 7, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Toshihiko Ashikari et al.) Group Art Unit: 1638
Application No.: 08/894,356) Examiner: Medina Ahmed Ibrahim
Filed: August 18, 1997) Confirmation No.: 8892
For: GENE ENCODING A PROTEIN HAVING)
ACYL GROUP TRANSFER ACTIVITY)

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Responsive Amendment mailed December 2, 2004, a copy of the signed Amendment & Reply filed on September 9, 2004 is attached hereto. It is respectfully noted that on September 9, 2004, Applicants' Representative filed a signed copy of the attached Amendment & Reply together with a Communication explaining the circumstances of the filing after discovering that a first copy of the Amendment and Reply had been inadvertently filed without a signature on the same day. However, it appears that only the first unsigned copy of the Amendment and Reply has been scanned into the Image File Wrapper and forwarded to the Examiner at this time. Entry of the attached Amendment and Reply, reexamination and reconsideration of the subject application pursuant to 37 C.F.R. § 1.112 are respectfully requested.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

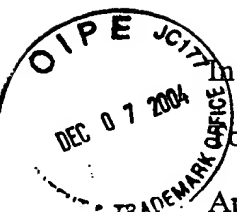
Date: December 7, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

Oshihiko Ashikari et al.

Application No.: 08/894,356

Filed: August 18, 1997

For: GENE ENCODING A PROTEIN
HAVING ACYL GROUP TRANSFER
ACTIVITY

) **Mail Stop: AMENDMENT**

) Group Art Unit: 1638

) Examiner: Medina Ahmed Ibrahim

) Confirmation No.: 8892

AMENDMENT & REPLY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 9, 2004, Applicants present the following Amendment and Reply, which is being filed on September 9, 2004 and is accompanied by a Petition for Extension of Time of Three months. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Please amend the above-identified patent application as follows:

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